

EXHIBIT "A"

EFiled: Jul 16 2009 3:37P
Transaction ID 26144621
Case No. 09C-07-167 JEB
RRC



IN THE SUPERIOR COURT IN THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY

CREDIT MANAGERS ASSOCIATION OF
CALIFORNIA dba CMA BUSINESS
CREDIT SERVICES, a California
corporation, as assignee for the benefit of
the creditors of WEEKEND WARRIOR
TRAILERS, INC.

Plaintiff,

v.

WESCO DISTRIBUTION, INC.

Defendant.

C.A. No. 09C-07-RRC

Jury Trial Demanded

**COMPLAINT TO AVOID AND RECOVER PREFERENTIAL TRANSFERS OF
PROPERTY PURSUANT TO CALIFORNIA CODE
OF CIVIL PROCEDURE SECTION 1800**

PARTIES, VENUE AND JURISDICTION

1. Plaintiff Credit Managers Association of California, dba CMA Business Credit Services ("CMA") is a California corporation qualified to do business in the State of California, with its primary place of business in Burbank, California.

2. Weekend Warrior Trailer, Inc. ("WWT") was, at all relevant periods, a California corporation qualified to do business in the State of California, with its primary place of business in Perris, California.

3. On or about July 18, 2008 WWT executed a general assignment for the benefit of WWT's creditors in favor of CMA pursuant to California Code of Civil Procedure Section 493.010, *et seq.* ("Assignment"). Pursuant to the Assignment, WWT conveyed to CMA all of WWT's property and every right, claim, and interest of WWT.

4. On information and belief, Wesco Distribution, Inc. ("WDI") is a Delaware corporation with its register agent being The Corporation Trust Company.

CAUSE OF ACTION

RECOVERY OF PREFERENCE ACCORDING TO CCP § 1800

5. On or within (90) days before the date of the assignment, that is between April 19, 2008 and July 18, 2008, (the "Preference Period") WWT made one or more transfers by check, wire transfer or the equivalent in an aggregate amount not less than \$240,157.53 (the "Transfers") directly to, or for the benefit of, the WDI.

6. WDI was a creditor of WWT at the time of the Transfers.

7. The Transfers were to, or for the benefit of, WDI, and for or on account of antecedent debt owing by WWT to WDI.

8. The Transfer from WWT to WDI took place while WWT was insolvent, as that term is defined by California Code of Civil Procedure § 1800(a)(1).

9. The Transfer from WWT to WDI took place within the Preference Period.

10. The Transfer of funds from WWT to WDI enabled WDI to receive more than another creditor of the same class.

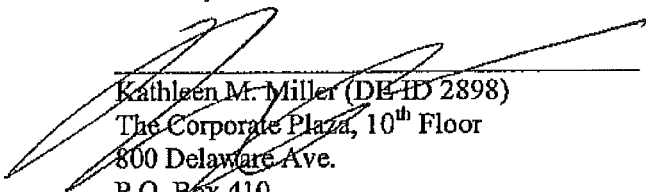
11. CMA is entitled to recover the Transfer pursuant to Cal. Code of Civ. Proc. § 1800(b).

WHEREFORE, CMA prays that this Court enter judgment:

1. Avoiding and setting aside the Transfers from WWT to WDI;
2. Awarding to CMA the amount of \$240,157.53 and prejudgment interest thereon at the legal rate allowed from the date of each transfer;
3. Awarding the costs incurred by CMA in this suit; and
4. Awarding such other and further relief as this Court may deem necessary and proper.

Dated: July 16, 2009

SMITH, KATZENSTEIN & FURLOW LLP



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Attorneys for plaintiff

SUPERIOR COURT CIVIL CASE INFORMATION STATEMENT (CIS)

COUNTY: [N] K S

CIVIL ACTION NUMBER:

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Transaction ID 26144621

Case No. 09C-07-167 JEB

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Civil Case Code: CDBT

Civil Case Type: Debt

(SEE REVERSE SIDE FOR CODE AND TYPE)

Caption:

CREDIT MANAGERS ASSOCIATION OF CALIFORNIA dba CMA BUSINESS CREDIT SERVICES, a California corporation, as assignee for the benefit of the creditors of WEEKEND WARRIOR TRAILORS, INC.

Plaintiff

v.

WESCO DISTRIBUTION, INC.

Defendant.

Name and Status of Party filing document:

CREDIT MANAGERS ASSOCIATION OF CALIFORNIA dba CMA BUSINESS CREDIT SERVICES, a California corporation, as assignee for the benefit of the creditors of WEEKEND WARRIOR TRAILORS, INC., Plaintiff

Document Type: (E.G., COMPLAINT; ANSWER WITH COUNTERCLAIM)ComplaintJURY DEMAND ☒ YES ☐ NO

TRACK ASSIGNMENT REQUESTED (CIRCLE ONE)

EXPEDITED [STANDARD] COMPLEX**ATTORNEY NAME(S):**Kathleen M. Miller**ATTORNEY ID(S):**2898**FIRM NAME:**Smith, Katzenstein & Furlow LLP**ADDRESS:**800 Delaware Avenue, 10th FloorP.O. Box 410Wilmington, DE 19899**TELEPHONE NUMBER:**302-652-8400**FAX NUMBER:**302-652-8405**E-MAIL ADDRESS:**kmiller@skfdelaware.com

IDENTIFY ANY RELATED CASES NOW PENDING IN THE SUPERIOR COURT BY CAPTION AND CIVIL ACTION NUMBER INCLUDING JUDGE'S INITIALS

EXPLAIN THE RELATIONSHIP(S):

OTHER UNUSUAL ISSUES THAT AFFECT CASE MANAGEMENT:

(IF ADDITIONAL SPACE IS NEEDED, PLEASE ATTACH PAGE)

THE PROTHONOTARY WILL NOT PROCESS THE COMPLAINT, ANSWER OR FIRST RESPONSIVE PLEADING IN THIS MATTER FOR SERVICE UNTIL THE CASE INFORMATION STATEMENT (CIS) IS FILED. THE FAILURE TO FILE THE CIS AND HAVE THE PLEADING PROCESSED FOR SERVICE MAY RESULT IN THE DISMISSAL OF THE COMPLAINT OR MAY RESULT IN THE ANSWER OR FIRST RESPONSIVE PLEADING BEING STRICKEN.

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PRAECIPE

TO: Prothonotary
Superior Court for the State of Delaware
500 North King Street
Wilmington, Delaware 19801

PLEASE ISSUE a summons to the Sheriff of New Castle County requesting that a copy
of said summons, this praecipe, and the attached complaint be served upon defendant Wesco
Distribution, Inc., a Delaware corporation, by serving its registered agent at the following address:

The Corporation Trust Company
1209 Orange Street
Wilmington, DE 19801

July 16, 2009

SMITH, KATZENSTEIN & FURLOW LLP

/s/ Kathleen M. Miller

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